

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

NANCY J. HABER,

Case No. 24-10194 (DSJ)

Debtor.

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**ORDER PURSUANT TO 11 U.S.C. §§ 1112(b)
AND 105(a) DISMISSING CHAPTER 11 CASE
WITH 6-MONTH BAR TO REFILING**

Upon the motion (the “UST Motion”) of the United States Trustee for an order converting the chapter 11 case of Nancy Haber (the “Debtor”) to a case under chapter 7 of the Bankruptcy Code, or in the alternative, dismissing this case [ECF No. 36]; and Maguire Perry LLC having filed an objection to the UST Motion requesting dismissal of the Debtor’s case as opposed to conversion [ECF No. 40]; and a hearing having been held on July 2, 2024 to consider the UST Motion and at which counsel for the United States Trustee, counsel for Maguire Perry LLC, counsel for the Debtor, and counsel for the New York State Department of Taxation and Finance appeared and were heard; and good cause having been found by the Court to dismiss this case pursuant to 11 U.S.C. § 1112(b)(4)(C), (F), (H) and (K) for the reasons set forth on the record at the Hearing **in an oral ruling which is incorporated herein**; and it appearing that appropriate notice has been given; it is hereby **[DSJ 7/10/2024]**

ORDERED, that the UST Motion is granted; and it is further

ORDERED, that the Debtor’s case commenced under chapter 11 of the Bankruptcy Code be and hereby is dismissed pursuant to 11 U.S.C. § 1112(b)(4)(A), (B), (F) and (K); and it is further

ORDERED, that the Debtor is barred from filing any case under any chapter for six (6)

months from the date of entry of this Order under 11 U.S.C. § 105(a); and it is further

ORDERED, that the Debtor pay to the United States Trustee the appropriate sum required pursuant to 28 U.S.C. § 1930(a)(6) and 31 U.S.C. § 3717 within ten (10) days of the entry of this Order and simultaneously provide to the United States Trustee an appropriate affidavit indicating the cash disbursements for the relevant period; and it is further

ORDERED, notwithstanding the dismissal of the Debtor's bankruptcy case, the Court shall retain jurisdiction to enforce and interpret the terms of this Order.

Dated: New York, New York
July 10, 2024

s/ David S. Jones
HONORABLE DAVID S. JONES
UNITED STATES BANKRUPTCY JUDGE